

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERK'S OFFICE

2005 FEB 28 AM 10:21

U.S. DISTRICT COURT  
DISTRICT OF MASS.

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY, a Massachusetts nonprofit  
corporation,

Plaintiff,

v.

BEAT THE HOUSE, LLC, a California limited  
liability company

Defendant.

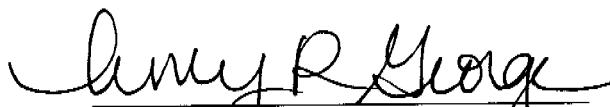
CIVIL ACTION NO. 04 CV 11861 JLT

**STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), plaintiff Massachusetts Institute of Technology, by and through its undersigned attorneys, hereby stipulates to dismiss this action without prejudice, and without costs assessed against any party.

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY

By its attorneys,



Jason C. Kravitz (BBO# 565904)  
Amy R. George (BBO# 629548)  
Kristin D. Kuperstein (BBO# 641710)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, Massachusetts 02110  
(617) 345-1000

Dated: February 28, 2005

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY, a Massachusetts nonprofit  
corporation,

Plaintiff,

v.

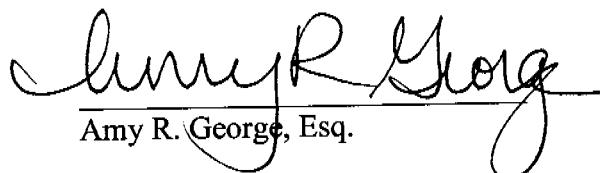
BEAT THE HOUSE, LLC, a California limited  
liability company

Defendant.

CIVIL ACTION NO. 04 CV 11861 JLT

**CERTIFICATE OF SERVICE**

I, Amy R. George, Esq., hereby certify that, on February 28, 2005, I caused to be served a true and correct copy of the Stipulation of Dismissal, by first class mail, on Jeffrey L. Clark, Wood, Phillips, Katz, Clark & Mortimer, 500 West Madison Street, Suite 3800, Chicago, IL 60661-2511.

  
\_\_\_\_\_  
Amy R. George, Esq.